

23380. Canned field peas. (F. D. C. No. 39133. S. No. 11-595 M.)

QUANTITY: 28 cases, 6 No. 10 cans each, at Mobile, Ala.

SHIPPED: 2-6-56 and 2-27-56, from Elsa, Tex., by Elsa Canning Co.

LABEL IN PART: (Can) "Ro-Tel Brand Fresh Shelled Field Peas With Snaps."

LIBELED: 5-23-56, S. Dist. Ala.

CHARGE: 402 (a) (3)—contained insects and insect parts when shipped.

DISPOSITION: 6-20-56. Default—destruction.

23381. Canned peas and carrots. (F. D. C. No. 39163. S. Nos. 28-600 M, 28-721 M.)

QUANTITY: 101 cases, 24 1-lb. cans each, at San Francisco, Calif.

SHIPPED: 2-7-56 and 3-23-56, from Springville, Utah, by Eddington Canning Co.

LABEL IN PART: (Can) "Sun Blest * * * Sweet Peas & Carrots."

LIBELED: 7-13-56, N. Dist. Calif.

CHARGE: 402 (a) (3)—contained rodent hairs when shipped.

DISPOSITION: 11-21-56. Default—destruction.

23382. Pickles. (F. D. C. No. 39136. S. No. 28-616 M.)

QUANTITY: 98 cases, 4 1-gal. jars each, at Honolulu, T. H.

SHIPPED: 5-11-56, from Emeryville, Calif., by Kruger & Son.

LABEL IN PART: (Jar) "Happy Brand Dill Chip Pickles."

LIBELED: 5-25-56, Dist. Hawaii.

CHARGE: 402 (a) (3)—contained insects, insect parts, and rodent hairs; and 402 (a) (4)—prepared under insanitary conditions.

DISPOSITION: 7-11-56. Default—destruction.

TOMATOES AND TOMATO PRODUCTS**23383. Canned tomatoes.** (F. D. C. No. 39691. S. No. 49-935 M.)

QUANTITY: 348 cases, 24 1-lb. 12-oz. cans each, at New Bedford, Mass.

SHIPPED: 9-17-56, from Preston, Md., by Albert W. Sisk & Son.

LABEL IN PART: (Can) "Our Value Brand Tomatoes Distributed By Kitchen Products Inc. Chicago, Ill."

LIBELED: 11-15-56, Dist. Mass.

CHARGE: 403 (h) (1)—the quality of the article, when shipped, fell below the standard of quality for canned tomatoes since the drained weight of the contents of the container of the article was less than 50 percent of the weight of the water required to fill the container, and the article contained tomato peel per pound of canned tomatoes in the container which covered an area of more than one square inch; and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: 12-13-56. Consent—claimed by Earle Legates Co., Preston, Md., and relabeled.

23384. Tomato catsup. (F. D. C. No. 38633. S. Nos. 31-839 M, 32-498 M.)

INFORMATION FILED: 7-3-56, E. Dist. Pa., against Delaware Valley Packing Co., a corporation, Bristol, Pa., and Charles Hormby, secretary of the corporation.

SHIPPED: 9-17-55 and 10-10-55, from Pennsylvania to New Jersey.

LABEL IN PART: (Can) "Pemaca Brand Tomato Catsup Contents 7 Lbs. Penn's Manor Incorporated, Cornwells Heights, Pa.," and "Penn's Manor Tomato Catsup Packed by Delaware Valley Packing Co. Bristol, Pa. Contents 7 Pounds."

CHARGE: 402 (a) (3)—when shipped, a portion contained decomposed tomato material and a portion contained fly eggs and maggots; and 402 (a) (4)—a portion had been prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 12-10-56. Fine of \$500 against each defendant.

23385. Tomato juice. (F. D. C. No. 39176. S. No. 37-619 M.)

QUANTITY: 2,000 cases, 12 cans each, at Pittsburgh, Pa.

SHIPPED: 6-26-56, from Sheridan, N. Y., by Sheridan Canning Co.

LABEL IN PART: (Can) "Kroger Tomato Juice Contents 1 Qt. 14 Fl. Oz."

LIBELED: 7-27-56, W. Dist. Pa.

CHARGE: 402 (a) (3)—contained decomposed tomato material when shipped.

DISPOSITION: 9-7-56. Default—destruction.

23386. Tomato juice. (F. D. C. No. 39140. S. No. 46-373 M.)

QUANTITY: 258 cases, 24 1-pt. 2-oz. cans each, at Silver Creek, N. Y.

SHIPPED: 4-10-56, from Philadelphia, Pa. This was a return shipment.

LABEL IN PART: (Can) "Penn Treaty Tomato Juice."

LIBELED: 6-4-56, W. Dist. N. Y.

CHARGE: 402 (a) (3)—contained decomposed tomato material when shipped.

DISPOSITION: 7-9-56. Default—destruction.

NUTS AND NUT PRODUCTS*

23387. Cashew nuts. (F. D. C. No. 39122. S. Nos. 41-082/3 M.)

QUANTITY: 201 cases, 2 25-lb. tins each, at St. Paul, Minn.

SHIPPED: 3-12-56 and 3-29-56, from New York, N. Y., by Fisher Nut Co.

LABEL IN PART: (Can) "Scorched wholes WAC NICC New York Product of India Blanched Cashew Kernels" or "SGN G & D New York SW Scorched Wholes Produce of India Blanched Cashew Kernels."

LIBELED: 5-3-56, Dist. Minn.

CHARGE: 402 (a) (3)—contained insects, insect webbing, and insect-damaged nuts when shipped.

DISPOSITION: 6-8-56. Consent—claimed by Fisher Nut Co., St. Paul, Minn. Segregated, 450 lbs. destroyed.

23388. Shelled peanuts. (F. D. C. No. 39156. S. No. 33-469 M.)

QUANTITY: 63 100-lb. bags at Lincoln, Nebr.

SHIPPED: 5-18-56, from Abilene, Tex., by King Peanut Co.

LABEL IN PART: "King Quality No. 2 Hand Picked Shelled Spanish Peanuts."

LIBELED: 7-13-56, Dist. Nebr.; amended 8-10-56.

*See also No. 23375.